

REMARKS

The Examiner cites Brickman '502 and Woodward '896 against the present invention.

Regarding Brickman, this reference discloses no swingable handles, and is not adapted to receive such a handle. It is directed entirely to a closed gasoline can without swingable handles having a specialized filling and filtering structure. It is not an open bucket, and as such its structure and purpose are non-analogous to the presently claimed invention.

Regarding Woodward, this reference discloses a bucket having equal-sized sides arranged at equal 60° angles with respect to each other. Because of the inwardly-sloping handle, it can only rest on the upper edge of the bucket when released. Such a handle would make it impossible to nest one bucket inside another for storage purposes.

The presently claimed invention sets out a structure whereby the handle swings down over the upper edge of the bucket on the outside of the bucket on the longest side of the bucket and is adapted to the peripheral shape of the bucket between the pivot bearings. The sides of the presently claimed invention are inclined outwards from the bottom to allow nesting.

The presently claimed bucket is open at the top, and has a triangular cross sectional form. The angle between the two shortest sides of the bucket is a right angle. The handle is arranged such that the effective carrying point for the bucket is situated in a vertical plane located at a point approximately 1/3 across the width of the bucket between the longest side of the bucket and the right angle. The handle is supported specifically so that it will swing down over the upper edge of the bucket on the outside of the longest side of the bucket. The bucket is nestable upon stacking.

The Examiner has raised a number of objections to certain structural features of the presently claimed invention, citing "official notice", but otherwise unsupported by any references or prior art. It is asserted that those objections extend beyond the range of official notice and as such are unfounded and improper.

None of the cited references teach or suggest a bucket having the limitations of new claim 1 including an effective carrying point $1/3$ the distance across the width of the bucket between the longest side of the bucket and the right angle, and other presently claimed structural features. Further, there is no evidence that such features would be skilled to one in the art.

CONCLUSION

Applicant asserts that all of the objections have been obviated, and therefore respectfully requests withdrawal of those objections and an allowance of this application.

U.S. Serial No. 10/726 030
Filed 1 December 2003
Attorney Docket 13710



REQUEST FOR EXTENSION IN THE TERM

As the normal three month term expired on 27 October 2006, applicant hereby respectfully requests a two month extension in the term through 27 December 2006 and encloses \$225 in payment of the extension fee. In the event of an underpayment or overpayment, authorization is hereby given to charge/credit Deposit Account No. 04-2219 accordingly.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Keith H. Orum", written over a dotted line.

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, Box 1450
Alexandria, VA 22313-1450 on 27 December 2006.

A handwritten signature in black ink, appearing to be "Keith H. Orum", written over a dotted line.
Keith H. Orum